

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

OFFICE OF PREVENTION, PESTICIDES AND TOXIC SUBSTANCES

SEP 2 8 2007

Ms. Rebecca M. Horton Consultant/Agent for Lilly Miller Brands Central Garden & Pet dba Lilly Miller Brands 1340 Treat Blvd., Suite 650 Walnut Creek, CA 94597

RE: Notification of administrative label changes including 1) revision of warranty statement for Compliance with Oct 2006 EPA guidelines, omission of "800-CLEANUP" from disposal instructions, and company address change

EPA Registration Number: 802-415 Date of Submission: August 31, 2007

Dear Ms. Horton:

The Agency is in receipt of your Application for Pesticide Notification under Pesticide Registration Notice (PRN) 98-10 dated August 31, 2007, for the product Lilly/Miller Superior Type Spray Oil. The Registration Division (RD) has conducted a review of this request for its applicability under PRN 98-10 and finds that the action(s) requested fall within the scope of PRN 98-10. The label submitted with the application has been stamped "Notification" and will be placed in our records.

If you have any questions, please call me directly at 703-305-6249 or Joyce Edwards of my staff at 703-308-5479.

Sincerely, Theresa Stowe for

Linda Arrington

Notifications & Minor Formulations Team Leader

Registration Division (7505P)

Office of Pesticide Programs

Please read instructions of	reverse before completin	a form.		Form Apr	proved	. OMB No.	2070-0060). Approval expires 2-28-9
\$EPA	Environmental F	red States Protection A ton, DC 20460	gency		v	Registra Amenda Other		OPP Identifier Number
	A	pplication fo	or Pestic	de - Sect	tion	1		
1. Company/Product Numb 802-415	961		t	Product Man	ager		3. Pro	posed Classification
4. Company/Product (Nam Lilly Miller Superior Ty			PM#					Mastricted
Central Garden & P 1340 Treat Bouleva Walnut Creek, CA	•		(b)(i), i to: EPA		is sim	ilar or ident	ical in coi	FIFRA Section 3(c)(3) mposition and labeling
		S	ection -	11				
Amendment - Exple Resubmission in re- Notification - Expla	sponse to Agency letter da	sted		Final printed Agency lett "Me Too" A	ter dat Applica	ation.		SEP 2 8 2007
company address change as hi This notification is consistent with Formula of this product. Lilly Mille	label changes including revision of ghlighted. Submission of 2 copies of the provisions of PR Notice 98-10 ar Brands understands that it is a viootice 98-10 and 40 CFR 152.46, this	of final printed label. and EPA regulations at plation of 18 U.S.C. Set s product may be in vio	40 CFR 152.46, 1001 to willfully	and no other char make any false s and Lilly Miller Bra	nges ha	ve been made to	the labeling o	r the Confidential Statement of nds that if this notification is not
1. Material This Product V	fill Re Packaged In:		30000					
Child-Resistant Packaging Yes No * Certification must be submitted	Unit Packaging Yes No If "Yes"	No. per	Yes No "Yes" ckage wgt	No. per		2. Type of	Container Metal Plastic Glass Paper Other (S	pecify)
3. Location of Net Content	s Information 4.	Size(s) Retail Co	ntainer		5. Lo	cation of Lat	pel Directio	AS
6. Manner in Which Label	s Affixed to Product	Lithograph Paper glued Stenciled		Othe	r			
		S	ection -	V				
1. Contact Point (Comple	te items directly below for	identification of i	ndividu a l to	e contacted,	if nec	essery, to pr	ocess this	application.)
Name Rebecca M. Horton		Title Con	sultant/Ager	it for LILLY M	IILLEF	R BRANDS	Telephone 540-375-6	No. (Iriciude Area Code) 3826
	tements I have made on th any knowlingily false or mi e law.							6. Case Application Received (Stamped)
2. Signature		3, Tit	lo				· · · · · · · · · · · · · · · · · · ·	
Kilvecca N	. Horton			gent for LIL	LY M	IILLER BR	ANDS	
4. Typed Name Rebecca M. Horton		5. Da		gust 31, 2	2007	,		

Please read instructions on reverse before completing form. Form Approved. OMB No. 2070-0060. **OPP Identifier Number** United States Registration **Environmental Protection Agency Amendment** Washington, DC 20460 Other Application for Pesticide - Section I 1. Company/Product Number 2. EPA Product Manager 3. Proposed Classification 802-415 Abramovitch None Restricted 4. Company/Product (Name) PM# Lilly Miller Superior Type Spray Oil 5. Name and Address of Applicant (Include ZIP Code) 6. Expedited Reveiw. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling Central Garden & Pet dba Lilly Miller Brands 1340 Treat Boulevard, Suite 650 EPA Reg. No. Walnut Creek, CA 94597 Check if this is a new address **Product Name** Section - II Amendment - Explain below. Final printed labels in repsonse to Agency letter dated Resubmission in response to Agency letter dated_ "Me Too" Application. Notification - Explain below. Other - Explain below. 1 Explanation: Use additional page(s) if necessary. (For section I and Section II.) NOTIFICATION of administrative label changes including revision of Warranty Statement for compliance with Oct. 2006 EPA guidelines, omission of "800 CLEANUP" from disposal instructions, and company address change -- as highlighted. Submission of 2 copies of final printed label. This notification is consistent with the provisions of PR Notice 98-10 and EPA regulations at 40 CFR 152.46, and no other changes have been made to the labeling or the Confidential Statement of Formula of this product. Lilly Miller Brands understands that it is a violation of 18 U.S.C. Sec. 1001 to willfully make any false statement to EPA, and further understands that if this notification is not consistent with the terms of PR Notice 98-10 and 40 CFR 152.46, this product may be in violation of FIFRA and Lilly Miller Brands may be subject to enforcement action and penalties under sections 12 and 14 of FIFRA. Section - III 1. Material This Product Will Be Packaged In: Unit Packaging Water Soluble Packaging 2. Type of Container Child-Resistant Packaging Yes Metal Yes Yes Plastic_ No Glass Paper No. per No. per * Certification must Unit Packaging wgt. Package wol Other (Specify) be submitted 3. Location of Net Contents Information 4. Size(s) Retail Container 5. Location of Label Directions Container 6. Manner in Which Label is Affixed to Product Other Lithograph Paper glued Stenciled Section - IV 1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.) Title Telephone No. (Include Area Code) Rebecca M. Horton 540-375-8826 Consultant/Agent for LILLY MILLER BRANDS 6. Lete Application Certification Received I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowlinglly false or misleading statement may be punishable by fine or imprisonment or (Stamped) both under applicable law. 3. Title

2. Signature

4. Typed Name

Rebecca M. Horton

Consultant/Agent for LILLY MILLER BRANDS

August 31, 2007

5. Date

NOTIFICATION

SEP 2 8 2007

LILLY MILLER® SUPERIOR TYPE SPRAY OIL

Year Around (and Pre-Season) Insect Control Protects fruit trees, shrubs and ornamentals Protects roses, fruits and ornamental shrubs Kills spider mites, scale, and aphid eggs Contains highly refined horticultural oil Smothers listed pests and their eggs A traditional, time-tested product Spray Oil

ACTIVE INGREDIENT:

Petroleum Oil 99% INERT INGREDIENTS 1%

Keep out of reach of children

CAUTION

See back/side/other panel(s) for additional Precautionary Statements and First Aid

NET CONTENTS 1 QUART (946 ml)

PRECAUTIONARY STATEMENTS

HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, inhaled or absorbed through the skin. Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

FIRST AID

Have product container or label with you when calling a poison control center or doctor, or going for treatment.

If swallowed: Call a poison control center or doctor immediately for treatment advice. Do not induce vomiting unless told to do so by a poison control center or doctor. Do not give any liquid to a person. Do not give anything to an unconscious person.

If in eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

If on skin: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

If inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth if possible. Call a poison control center or doctor for further treatment advice.

NOTE TO PHYSICIAN: Contains petroleum distillate. Vomiting may cause aspiration pneumonia.

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only. Not for indoor use. SHAKE WELL BEFORE USING.

USE PRECAUTIONS

For foliage application the spray tank must be free of any sulfur residue before using this material. Do not combine sulfur sprays with this material on foliage during spring and summer months and do not follow a previous application of sulfur or apply sulfur following an application of this material until sufficient time has elapsed for safety (at least 30 days). If in doubt, spray a portion of one tree previously treated with sulfur using 2 1/2 Tbsp. oil to 1 gallon of water (1 quart of oil to 25 gallons of water). If sufficient time has not elapsed, burn will show in several days.

Do not use oil spray when temperatures are above 90 degrees F. When temperatures drop below 32 degrees F during night, do not spray tree and vine crops until daytime temperatures have warmed to a point above 35 degrees F and crops are free from moisture due to melting frost or heavy dews.

Do not use on foliage closer than 60 days after or 90 days before using CAPTAN or PHALTAN* products. Do not use in combination with SEVIN* [carbaryl]. Application to trees weakened by disease, drought, drying winds, or high nitrogen applications may result in oil injury.

*PHALTAN is the registered trademark for phthalimide fungicide. *SEVIN is the reg. T.M. of Rhone-Poulenc for carbaryl insecticide.

Minimum Unsulfonated Residue 92% Petroleum Oils Classification - unclassified A 70 second viscosity type oil

WHERE TO USE	WHEN TO USE	Tablespoons Per gal. of Water	
APPLES-Rust Mite (aid in control of)	Delayed Dormant Summer Use		<u>4</u> 2 1/2
APPLES, PEARS-San Jose Scale, Italian Pear Scale, Eggs of Aphids, Red Spider Mites	Dormant or Delayed Dorn	nant*	5
Red Spider Mites	Summer Use		2
San Jose & Italian Pear Scales (Summer forms)	Summer Use		2 1/2
PEARS-Pear Psylla	Delayed Dormant*		5
	Summer Use		2 1/2
Blister Mite	Delayed Dormant* & Fall	Spray	5
APRICOTS, CHERRIES, NECTARINES PEACHES, PRUNES, WALNUTS and ALMONDS Scales: Brown Apricot, Black, San Jose Olive (Parlatoria), Oleander, Frosted, Italian Pear, European Fruit Lecanium, Putnam, Soft Brown; Eggs of Aphids, Red Spider Mites		nant*	5
Red Spider Mites	Summer Use		2
Brown Apricot & San Jose Scales (Summer stages)	Summer Use		2 1/2
ORNAMENTALS AND SHADE TREES Such as: Birch, Cherry (flowering), Dogwood, Evergreens (see note), Hawthorn, Holly, Magnolia, Maple, Oak, Peach (flowering),	Dormant or Delayed Dorr on Deciduous Varieties	mant* Spray	5

2 1/2

Privet, Pyracantha, Roses, Sycamores-- Dormant or Delayed Dormant* Spray Red Spider Mites and Eggs, on Evergreen Varieties

Scales: Soft Brown, Oyster Shell, Brown Apricot, Black, and San Jose

NOTE: May cause discoloration of Blue Spruce. Do not use on Evergreens or Ferns not tolerant to oil sprays.

FIGS-Fig Scale	Dormant or Delayed Dormant *	7 1/2
OLIVES-Spider Mites, Scales: Parlatoria, Oleander and Black	Pre-bloom or post bloom up to buckshot**	2 1/2
ORANGES (Valencia)-Red Spider Mites Do not use later than September 1 Scale: Red, Black, Yellow & Purple		

^{*}Delayed Dormant--The period just before blossom buds break open.

NOTE: This product may be combined with Lilly/Miller Polysul Summer & Dormant Spray for use as a dormant combination spray. Refer to the Lilly/Miller Polysul label for recommended rates.

STORAGE AND DISPOSAL

Store this product in its original container and keep out of reach of children and domestic animals. If empty: Do not reuse this container. Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency or 1-800-CLEANUP for disposal instructions. Never place unused product down any indoor or outdoor drain.

Alternate use directions for container with hose-end sprayer attached, labeled with dormant season application rates only:

For best results, completely cover all twigs, branches and trunk with spray.

To control both insects and diseases, [EPA Reg. No. 801-415] and [EPA Reg. No. 802-73] can be used together. Spray [EPA Reg. No. 802-73] first and allow it to dry completely, usually 24 hours. Then spray [EPA Reg. No. 802-415].

^{**}Buckshot--Young olives about the size of peas.

HOW DO I USE THIS PRODUCT?

- 1. Shake container well.
- 2. Remove the child-resistant closure and save it for resealing the container when you are finished.
- 3. Insert the dip tube of the hose-end applicator into the bottle and seal the applicator head tightly to the bottle.
- 4. Connect spray nozzle to garden hose.
- 5. Turn on the water from the faucet.
- 6. When you are ready to spray, turn the knob on top so that it points to the MIX position on the spray head. (Fig. 1)
- 7. The spray deflector on the front of the hose-end applicator can be rotated to give a stream or fan spray. (Fig. 2)

TO STOP SPRAYING:

- 1. When you are finished spraying or if you have to stop spraying at any time, turn the knob back to the OFF position. (Fig. 3)
- 2. Turn off the water from the faucet.
- 3. Turn the knob to H2O then OFF, to drain the water from the hose. (Fig. 4)
- 4. Unscrew spray nozzle from hose. Remove hose-end from container.
- 5. Reseal the container with the child-resistant closure. Rinse the hose-end applicator.

NOTICE: Follow directions carefully. Timing and method of application, weather or crop conditions, mixtures with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of the seller. To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith.

For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378. All other inquiries: info@excelmktg.com.

LILLY MILLER BRANDS 1340 Treat Blvd., Suite 650 Walnut Creek, CA 94957

www.lillymiller.com Printed in U.S.A. Product of Canada



PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

CAUTION: Harmful if swallowed, inhaled or absorbed through the skin, Avoid breathing spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling. Remove contaminated clothing and wash before reuse.

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 $\begin{tabular}{ll} \textbf{NOTE TO PHYSICIAN}: Contains petroleum distillate. Vomiting may cause aspiration pneumonia. \end{tabular}$

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to water. Do not apply when weather conditions favor drift from areas treated. Do not contaminate water when disposing of equipment washwaters. Apply this product only as specified on this label.

LILLY MILLER BRANDS

1340 Treat Blvd., Suite 650 Walnut Creek, CA 94597 EPA Reg. No. 802-415 EPA Est. 33518-CN-01

www.lillymiller.com

Printed in U.S.A. Product of Canada 300028959

PEEL BACK BOOK HERE AND RESEAL AFTER OPENING



WHERE TO USE	WHEN TO USE	Tablespoons Per gal, of Wate	
APPLES—Rust Mite	Delayed Dormant	4	
(aid in control of)	Summer Use	2 1/2	
APPLES, PEARS— San Jose Scale, Italian Pear Scale, Eggs of Aphids, Red Spider Mites	Dormant or Delayed Dormant*	5	
Red Spider Mites	Summer Use	2	
San Jose & Italian Pear Scales (Summer forms)	Summer Use	2 1/2	
PEARS—Pear Psylla	Delayed Dormant*	5	
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APRICOTS, CHERRIES, NECTARII ALMONDS—	NES, PEACHES, PRUNES, WALNUT	'S and	
ales: Brown Apricot, ack, San Jose, Olive arlatoria), Oleander, Frosted, lian Pear, European Fruit canium, Putnam, Soft own; Eggs of Aphids, d Spider Mites		5	
Red Spider Mites	Summer Use	2	
Brown Apricot & San Jose Scales (Summer stages)	Summer Use	2 1/2	
ORNAMENTALS AND SHADE TR	EES		
Such as: Birch, Cherry (flowering), Dogwood, Evergreens (see note),	Dormant or Delayed Dormant* Spray on Deciduous Varieties	5	
Hawthorn, Holly, Magnolia, Maple, Oak, Peach (flowering), Privet, Pyracantha, Roses, Sycamores— Red Spider Mites and Eggs, Scales: Soft Brown, Oyster Shell, Brown Apricot,	Dormant or Delayed Dormant* Spray on Evergreen Varieties	2 1/2	
Black, and San Jose	NOTE: May cause discoloration Spruce, Do not use on Evergree not tolerant to oil sprays.		
FIGS—Fig Scale	Dormant or Delayed Dormant *	7 1/2	
OLIVES— <i>Spider Mites,</i> Scales: Parlatoria, Oleander and Black	Pre-bloom or post bloom up to buckshot**	2 1/2	
ORANGES (Valencia)— Red Spider Mites Scale: Red, Black, Yellow & Purple	Do not use later than September 1	2 1/2	

- * Delayed Dormant-The period just before blossom buds break open.
- ** Buckshot—Young olives about the size of peas.

NOTE: This product may be combined with Lilly Miller Polysul Summer & Dormant Spray for use as a dormant combination spray. Refer to the Lilly Miller Polysul label for recommended rates.

USE PRECAUTIONS

For foliage application the spray tank must be free of any sulfur residue before using this material. Do not combine sulfur sprays with this material on foliage during spring and summer months and do not follow a previous application of sulfur or apply sulfur following an application of this material until sufficient time has elapsed for safety (at least 30 days). If in doubt, spray a portion of one tree previously treated with sulfur using 2 1/2 Tbsp. oil to 1 gallon of water (1 qua: of oil to 25 gallons of water. If sufficient time has not elapsed, burn will show in several days.

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Do not use on foliage closer than 60 days after or 90 days before using captan or phaltan products. Do not use in combination with carbaryl. Application to dees weakened by disease, drought, drying winds, or high nitrogen applications may result in all injury.

Minimum Unsulfonated Residue 92% Petroleum Oils Classification – unclassified A 70 second viscosity type oil

STORAGE AND DISPOSAL

Store this product in its original container and keep out of reach of children and domestic animals. If empty, Do not reuse this container, Place in trash or offer for recycling if available. If partly filled: Call your local solid waste agency for disposal instructions. Never place unused product down any indoor or outdoor drain.

NOTICE: Follow directions carefully. Timing and method of application, weather or crop conditions, mixtures with other chemicals not specifically recommended and other influencing factors in the use of this product are beyond the control of the seller. To the extent consistent with applicable law, buyer assumes all risks of use, storage or handling of this material not in strict accordance with directions given herewith.

For information on this pesticide product (including health concerns, medical emergencies, or pesticide incidents), call the National Pesticide Information Center at 1-800-858-7378. All other inquiries: info@excelmktg.com.



- Year Around Insect Control
- Protects fruit trees, shrubs and ornamentals
- · Kills spider mites, scale, and aphid eggs
- · Contains highly refined horticultural oil
- Smothers listed pests and their eggs
- A traditional, time-tested product

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. For household use only, Not for indoor use, SHAKE WELL BEFORE USING.

LILLY MILLER BRANDS

1340 Treat Blvd., Suite 650 Walnut Creek, CA 94597

www.lillymiller.com

Printed in U.S.A. Product of Canada

Lilly Miller is a registered trademark of Central Garden & Pet.

300028959







118½ East Main Street Suite 1 Salem, VA 24153-3805 phone 540.375.8826 fax 540.375.8827 CERTIFIED MAIL #7007 0220 0002 4345 5012 August 31, 2007

Document Processing Desk (NOTIF)
Office of Pesticide Programs / Registration Division (7505P)
U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Ave., NW
Washington, DC 20460

Re:

Notification of Administrative Label Changes / Submission of Final Printed Labels

EPA Reg. No. 802-415, Lilly Miller Superior Type Spray Oil

Attn:

Linda Arrington

Notifications & Minor Formultions Team Leader

On behalf of Lilly Miller Brands of Walnut Creek, California, enclosed is notification of minor administrative label changes – to include:

1) Updating Company Address

- 2) Revising Warranty Statement for compliance with October 2006 Agency guidelines
- 3) Omission of "800 CLEANUP" from disposal text
- 4) Addition of NPIC telephone contact information

All areas of revision are highlighted for your convenience in review.

Additionally, this serves as submission of 2 copies of the final, printed container label for Agency records prior to distribution.

If additional action or information is required on behalf of Lilly Miller Brands, please advise.

Best regards,

Rebecca M. Horton Consultant/Agent for LILLY MILLER BRANDS

Filerra Metlosta

e-mail: hortonb@ntelos.net

/bmh

member CPDA

Enclosures